

Remarks

Claims 1-7, 9-10, 12-32, 36 and 39-63 are pending in the application. By this response, claims 1, 9, 12, 13, 23, 36, 44, 52, 54, and 56 are amended, and claims 8 and 11 are canceled. No new matter has been added. In view of the foregoing amendments and following remarks, Applicants respectfully request reconsideration and allowance of the application.

THE CLAIMS DEFINE OVER LUNSFORD, KUBO AND LEE

Claims 1-2, 8-19, 21-24, 28-31, 33, 36, 38, 42-46 and 50-57 stand rejected under 35 USC 103(a) as being unpatentable over Lunsford *et al.* (Pub. No. 2002/0065041) in view of Kubo *et al.* (Pub. No. 2004/0067784) and further in view of Lee *et al.* (USP 6,216,017). The limitations of claims 8 and 11 have been incorporated into claim 1 and claims 8 and 11 are canceled. Claims 33 and 38 were previously canceled. Concerning the remaining claims, Applicants traverse this rejection and respectfully assert that the cited art, Lunsford, Kubo and Lee, fails to satisfy a prima facie case of obviousness because all of the claimed limitations are not taught or suggested by the cited art or rendered obvious by market forces present at the time the claimed invention was made.

Specifically, as amended claim 1 recites in part:

retrieving a telephone number from a memory of the remote control device, wherein ***the storage of the telephone number to the memory of the remote control device is based on input from a provider of a network-based communication service;***

transmitting the dialing signal from the remote control device toward the mobile communication device based on the dialing request, the dialing signal instructing the mobile communication device to access a network-based communication service, wherein the dialing signal ***includes the telephone number associated with the network-based communication service,***

The cited art does not disclose this subject matter. The Office Action cites to Lunsford, ¶¶ 0060 to 0061, as disclosing the limitations of canceled claims 8 and 11. Lunsford however, merely discusses a process for establishing control between PID 12 and another device such as a telephone. Lunsford, at ¶ 0060, line 7 - ¶ 0061, line 12, states:

At step 202, the PID 12 sends out a general query to determine whether a corresponding telephone is present in the nearby environment (for example, in the room)...

At Step 204, the telephone 14 responds to the query with its unique identifier...The PID 12 then loads the controls of each device using at least two methods. If it is determine at Step 206 that the PID 12 has interfaces with telephone 14 before and the controls had previously been downloaded, then, at

step 208, the PID 12 access the controls from its memory. However, if it is determined at Step 206 that the PID 12 has not interfaced with telephone 14 before, then, at Step 201, the PID 12 connects with the telephone and negotiates control protocols.

The process of Lunsford makes no mention of a provider of network based communication service nor storing a telephone number associated with a network based communication service, much less storing a telephone number associated with a network based communication service based on input from a provider of a network-based communication service. Therefore, Lunsford does not teach or suggest the limitations of the instant claim.

The defects of Lunsford are not cured by Kubo. Kubo merely discusses a telephone with single buttons associated with telephone numbers. (Abstract.) Kubo does not discuss a remote control device nor a provider of network communication service. Therefore Kubo does not and cannot disclose storing a telephone number to the memory of a remote control device based on input from a provider of a network base communication service.

The defects of Lunsford are not cured by Lee. Lee merely discusses a cellular telephone which is separable into main device and a remote. (Abstract). Lee makes no mention of any means for storing a number into a memory of the remote device. Lee at Col. 12, lines 15-21 merely states,

"A controller 431, which controls the overall operation of the remote device 200, includes a program memory for storing a program for controlling the radio communication between the main device 100 and the remote device 200 and a temporal memory for temporarily storing data generated in the process of executing the control program."

Thus, Lee does not disclose that memory is available on the remote in which to store a telephone number, much less a telephone number based on input from a provider of a network-based communications service.

Furthermore, Lee makes no mention of a provider of a network-based communication service. Therefore, Lee does not and cannot disclose, the storage of the telephone number to the memory of the remote control device based on input from a provider of a network-based communication service. Thus, for at least the foregoing reasons, the instant claim defines over the cited art.

Claims 23, 36, 44, 52, 54 and 56 recite the limitation, "wherein the dialing signal includes a telephone number associated with a network-based communication service, wherein the telephone number is stored to a memory of the remote control device based on input from a

provider of the network-based communication service,” and thus, for reasons similar to those already discussed regarding claim 1, also define over the cited art. Claims 2, 9-10, 12-19, 21-24, 28-31, 36, 42-46 and 50-57 depend from claims 1, 23, 36, 44, 52, 54 and 56, respectively, and therefore also recite patentable subject matter. Accordingly, Applicants respectfully request withdrawal of the instant rejection.

THE CLAIMS DEFINE OVER LUNSFORD, KUBO, LEE AND HOLT

Claims 3-5, 25-27, 34, 39-41, 47-49 and 58-61 are rejected under 35 USC 103(a) as being unpatentable over Lunsford *et al.* (Pub. No. 2002/0065041) in view of Kubo *et al.* (Pub. No. 2004-0067784) and further in view of Lee *et al.* (USP 6,216,017) and further in view of Holt *et al.* (Pub. No. 2005/0113074). Claim 34 was previously canceled. Concerning the remaining claims, Applicants traverse this rejection and respectfully assert that the cited art, Lunsford, Kubo, Lee and Holt, fails to satisfy a prima facie case of obviousness because all of the claimed limitations are not taught or suggested by the cited art or rendered obvious by market forces present at the time the claimed invention was made.

Specifically, claim 3-5, 25-27, 39-41, 47-49 and 58-61 depend from claims 1, 23, 36, 44 and 56 respectively. The defects of Lunsford, Kubo and Lee already discussed regarding claims 1, 23, 36, 44 and 56 are not cured by Holt. Holt merely discusses a cellular system for handling outgoing calls from a mobile station (1) which includes a network element (8) capable of recognizing voice commands. (Abstract). Holt does not disclose a remote control device. Therefore Holt does not and cannot disclose the storing of the telephone number to the memory of the remote control device based on input from a provider of a network-based communication service. Thus, for at least the forgoing reasons, the instant claims define over the cited art. Accordingly, Applicants respectfully request withdrawal of the instant rejection.

THE CLAIMS DEFINE OVER LUNSFORD, KUBO, LEE, HOLT AND CHEUNG

Claims 6-7 and 62-63 are rejected under 35 USC 103(a) as being unpatentable over Lunsford *et al.* (Pub. No. 2002/0065041) in view of Kubo *et al.* (Pub. No. 2004/0067784) and further in view of Lee *et al.* (USP 6,216,017) and further in view of Holt *et al.* (Pub. No. 2005/00113074) and further in view of Cheung (Pub. No. 2004/0024647). Applicants traverse this rejection and respectfully assert that the cited art, Lunsford, Kubo, Lee, Holt and Cheung, fails to satisfy a prima facie case of obviousness because all of the claimed limitations are not

taught or suggested by the cited art or rendered obvious by market forces present at the time the claimed invention was made.

Specifically claims 6-7 and 62-63 depend from claims 1 and 56, respectively. The defects of Lunsford, Kubo, Lee and Holt, already discussed regarding claims 1 and 56 are not cured by Cheung. Cheung merely discusses a means of notifying a customer of an order status via calling the customer and playing a prerecorded message. (¶¶ 0005-0024.) Cheung does not disclose a remote control device. Therefore, Cheung does not and cannot disclose the storing of the telephone number to the memory of the remote control device based on input from a provider of a network-based communication service. Thus, for at least the foregoing reasons, the instant claims define over the cited art. Accordingly, Applicants respectfully request withdrawal of the instant rejection.

THE CLAIMS DEFINE OVER LUNSFORD, KUBO, LEE AND KUMAR

Claims 20 and 32 are rejected under 35 USC 103(a) as being unpatentable over Lunsford et al. (Pub. No. 2002/0065041) in view of Kubo et al. (Pub. No. 2004/0067784) and further in view of Lee et al. (USP 6,216,017) and further in view of Kumar et al. (Pub. No. 2003/0081758). Applicants traverse this rejection and respectfully assert that the cited art, Lunsford, Kubo, Lee and Kumar, fails to satisfy a prima facie case of obviousness because all of the claimed limitations are not taught or suggested by the cited art or rendered obvious by market forces present at the time the claimed invention was made.

Specifically, claims 20 and 32 depend from claims 1 and 23, respectively. The defects of Lunsford, Kubo and Lee, already discussed regarding claims 1 and 23, are not cured by Kumar. Kumar merely discusses the transfer of stored numbers from a PDA device to a telephone or other communication device (¶0007, lines 1-4.), and states that the user must input data into the PDA via a user interface. (¶0018, lines 6-8 and ¶0022, lines 9-14.). Thus Kumar does not disclose the storage of a telephone number to the memory of the remote control device based on input from a provider of a network-based communication service. Moreover, as Kumar makes no mention of a provider of network-based communication service, it cannot disclose the limitation. For at least the foregoing reasons the instant claims define over the cited art. Accordingly, Applicants respectfully request withdrawal of the instant rejection.

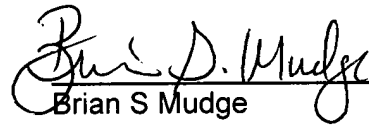
CONCLUSION

Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4226 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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